

FIRE PREVENTION RESTRICTIONS EXECUTIVE ORDER

Executive Order No. 06201201

Imposing Fire Restrictions on Tribal Members and Guests of the Fort Apache Indian Reservation

The office of the Tribal Chairman hereby implements the following restrictions, pursuant to authority vested in the Chairman of the White Mountain Apache Tribe by Section 5.3 (B) of the Government Code. Additionally, Resolution No. 05-2012-25 recognizes the Chairman's authority to carry out the daily administrative duties on behalf of the Tribal governing body.

The Chairman of the White Mountain Apache Tribe ("Tribe"), by signing this Executive Order, hereby imposes numerous fire restrictions that shall affect Tribal member residents and guests visiting the Fort Apache Indian Reservation ("Reservation"). It is the intent of this policy to diminish the likelihood of human-ignited wild fires.

Also, please be cognizant of any supplemental external policies or advisories issued by Federal and State agencies affecting fires in the region. Fishing and camping sites shall remain available for public use, but camping will be permitted in established camp grounds, exclusively.

Every day that this Order is in effect shall be considered a "Red Flag Day."

Definitions:

"Public" is defined as all individuals, including Tribal Members and non-Tribal Member guests and exceptions shall only be made if consistent with the intent of this Order.

The Tribal Forestry Department, Tribal Forest Ranger, Fire and Rescue, Wildlife and Outdoor Recreation Division Game Rangers, and Police Officers in conjunction with BIA Fire Management shall inform the public of the lifting of restrictions imposed by this Executive Order and shall also monitor and enforce compliance with its terms, while also enforcing Fire Restrictions previously in effect:

Stage 2 Fire Restrictions are applicable to all individuals living on or visiting the Fort Apache Indian Reservation until such restrictions are lifted.

1. Building, maintaining, attending or using fires, campfires or charcoal-burning devices are prohibited, including debris burning. A special exception shall be permitted for the use of fires that are related to traditional ceremonies, religious events, and wakes, as well as for general purpose residential cooking.
2. Smoking on Tribal public land is not allowed, with an exception made for smoking in vehicles (e.g. cars, trucks, mobile trailers, etc.). Smoking in an enclosed vehicle or building, or private residence may be allowed provided that the act does not pose a risk of igniting a fire on the Reservation. Matches and cigarette butts shall not be discarded by leaving the waste on the ground or in any manner that is likely to ignite a fire on the Reservation.
3. Use, Sale, and Distribution of Fireworks are illegal and strictly prohibited on the Fort Apache Indian Reservation. An exception to this rule shall be made for special celebrations duly authorized by the Tribal governing body.
4. It is direct violation of this policy to operate an internal combustion engine on Tribal land, other than the use of a motor vehicle for travel or commuting.
5. Welding or operating acetylene or other torches or devices with open flames pose a dangerous risk during the current weather conditions and shall be deemed a violation of this policy.

Industrial Regulation:

6. Power saws may **NOT** be used from 10:00 a.m. until 8:00 p.m. for any wood cutting/thinning activity except project crews which are properly equipped and performing fuels treatment projects may continue to work until 1:30 p.m. with on-half hour of monitoring by the entire crew following operations plus the provision identified under fire guards. ***Fire guards will remain on duty each day for two hours after wood works has stopped. Fuels projects may mitigate this requirement with the addition of fire qualified engine patrols for two hours following completion of operations for the day.*
7. Crawler-tractors, skidders, and sheers may be used until 10:00 a.m. Turbine-driven rubber-tired skidders, feller-bunchers, delimbers, and clearing equipment may be used until 12:00 noon. Operation on mineral soil involving road excavating, watering, grading, surfacing, rock crushing, and/or other equipment maintenance may continue with unrestricted hours. Operations NOT on mineral soil must also shut down at 12:00 noon.

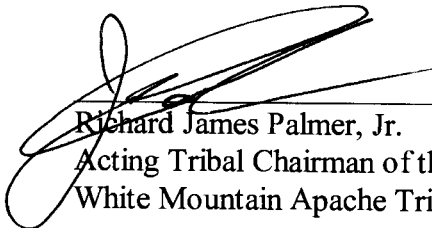
Fines and Penalty Assessments

8. Anyone found in violation of this order or any federal restrictions in place shall be subject to fines up to \$500 per violation. Such penalties shall be administered at the discretion of the enforcing agents based on the severity of the offense and are not subject to appeal.

Please be advised that the BIA, through its Fort Apache Fire Management Division may alert the communities to any additional special restrictions or prohibitions that may be required to ensure the safety of Tribal Members and the Tribe's natural resources. Any relevant information will be relayed to the public through the KNNB radio station and signs and posters may be placed for public awareness.

Every day that this Order is in effect shall be considered a "Red Flag Day." Any such restrictions shall be enforced in furtherance of this Fire Prevention Order. All Tribal Programs, Departments, and Enterprises shall cooperate fully in carrying out the policies as laid out in this order. Please provide any assistance necessary to help carry out the terms and conditions specified herein and if you have any questions about this directive or policies contained herein, please contact the Office of the Tribal Attorney at 928-338-2537.

Please act responsibly and be safe this summer season while conducting your activities on the Fort Apache Indian Reservation.



Richard James Palmer, Jr.
Acting Tribal Chairman of the
White Mountain Apache Tribe

Issued this 19th day of June, 2012

*Questions about the intent and scope of this
Order should be directed to the Office of the
Tribal Attorney at (928) 338-2537.*